in the hands of prosperous persons, for whom the poor constitute workers. 423

The smaller the number of livestock, the more farming there is. 311 /103/ Since the time of famine in the year of the rabbit, (1) the

1. The famine of the winter of 1879-1880. For a description of this winter see Nos. 17 and 18 of the Turkestanskie Vedomosti, 1885, in the article by Aleksandrov: "Iz zhizni stepnykh ueždov Syr-Dar'inskoi Oblasti" /From life in the steppe uyezds of the Syr-Darya oblast/. [731]

The cycle of twelve years, by which the Turks determine age and time elapsed, consist of the following names: 1) chichkan, mouse, 2) siir, cow, 3) bars, tiger, 40 koyan, rabbit, 5) ulu, crocodile, 6) dzhilan, snake, 7) dzhilky, horse, 8) koy, ram 9) meshin, monkey, 10) tauk, hen, 11) it, dog, and 12) tonguz, pig. [805]

nomads, realizing the lack of stability of livestock raising on the principles accepted by them, have turned to the production of supplies of grass in winter, and to agriculture.

For the damage of a hayfield from cattle grazing, according to Torgai, they pay the householder damages only if he himself has not ceased to use that hayfield. 685

If a man who is inscribed in another uyezd wishes to engage in agriculture in a strange pasture or a strange summer camp, the community to whom the land belongs demands rent from him for its use, the amount of which depends on the conditions. The person in question is forbidden to plant trees and to build. But as soon as he is inscribed in that uyezd and volost where his tilled land is, the land becomes his property and he pays the usual tributes (chubauz) and dues. 427 423

Swampy places (tugai), overgrown with rushes, etc. are still not sold, since they are widespread. Nevertheless they are becoming more and more associated with the person who winters in them and has stores of hay, with which he frequently leaves people during the summer. Persons of outside communes are not admitted to these winter camps. In case of misunderstandings, these persons pay money for the fodder under foot - chubauz (Perovsk uyezd).

To put through a new canal, one or more workers, depending on the amount of work, come out from each tent of the group of ten, group of fifty, or of the village or in general that group of people 425 476 312

425 who agree among themselves to be shareholders (kumalak). Each
496 tent participating in this receives a sector of irrigated land commen-
312 surate with the number of workers it sent, /104/ the days of work and in general the labor expended (mikhnat). Those who did not participate in putting through the canal are not given a sector.

427 In case of departure, a shareholder can rent out his sector, or
432 reconvey it with all rights and obligations to another, from whom he
312 receives a remuneration for the labor expended. Sectors growing clover are not only leased out but also sold for a price which is independent of the labor expended by the shareholder. In the Kurama uyezd, they sell not only sectors growing clover but every kind of plot. Among both the Kazakhs and the Challa Kazakhs, there is no knowledge of the shafi, i. e., the right of the neighbor as the most favored buyer. The buyer of the sector joins the commune liable to taxation, to which this sector belongs. (Perovsk and Kurama uyezds).

312 The person who puts through the canal and irrigates a certain
425 area of land with it receives the right to the use of this land. The canal is usually named after him, in addition.

If someone puts through a new canal in the canal bed of an old one, and after a certain length of time the proprietor of the latter appears, they refuse him satisfaction saying: "Why did you not declare yourself sooner? Then we would have put the canal through in another place."

312 If a certain clan digs out a canal or a well, with the slaughter-
423 ing of an animal before the work is begun, as is the custom, and if it
425 later departs to nomadize elsewhere and another clan settles there in its place, the first clan, on reappearing, will demand its canal or well. Such demands are made by the relatives, even to the seventh generation. "Here the labor of our grandfathers was expended" (baba myzdyng mikhneti), they say in such cases. If the accused refuse, under the pretext of not knowing about the previous owners, the plaintiffs are required to swear that they or their ancestors dug out the canal or well. If the clan which occupied the canal or well after it was made expended labor on cleaning and repairing it, it is told: "You used the water for this." If they have not yet used the water, they are permitted to settle together /105/ (kosylyb egever) and share in the payment of taxes and dues, but only if they renounce with a written document the rights to the canal or the well. In such a case, the land they occupy is considered only a pledge.

Among the Kirgiz, canals and wells belong to those who first dug them with the slaughtering of an animal, even though others

deepened them and repaired them. The latter must withdraw when 312
the first proprietor presents witnesses or a personal oath. It goes to 423
the later proprietor in the case where no one knows of the digging 425
except the first person. If the second proprietors have planted trees or done building, the water belongs to the first owners and the trees and buildings to the second. The first owner can buy them off, and he can also demand their removal.

Where underground water is near the surface, everyone digs 312
his own well (kuduk). In digging a deep well, to a depth of 5-6 675
sazhens (chingrau) /35-40 feet/, the nomads hire workers who know the business, for pay which is determined beforehand, and which remains the same without regard to the depth at which the water appears. At the same time they enter a condition that no wergeld will be demanded for workers who might be covered by sandy dirt caving in.

According to Umurbek and others, the proprietor of a well 423
can refuse water to a stranger.

There were yarlyks of the khans on the right of the use of water, some of which survive to this day. The yarlyks do not mention land, but canals, winter camps and summer camps. The latter are mentioned without fail in one and the same yarlyk, for the Kazakhs cannot remain in one place the year round. If a winter camp which is owned by the yarlyk remains unoccupied by its proprietor, and during this time others settle on it, the proprietor receives it back; in any case even if they put buildings on it. The son of the previous owner can make the same demand, but never a strange man, whose right to the land was promised in some way by the previous owner. The newcomers give up the building, and remain on the neighboring land.

/106/ If a clan puts in a claim for land planted by another clan, 423
without founding the claim on any documents, the biis settling this 695
dispute must interrogate persons who are not implicated in the affair and also the elders from the people. If with all this no one knows whether the father or the grandfather of the plaintiff sowed this land, and even if it appears that they planted for two or three years, about 20-30 years previously, then in the case that the present proprietors have no documents, an oath is demanded of them.

If the fathers and grandfathers of the plaintiff did plant this land in earlier times, and then abandoned it and departed 20-30 years ago, and their children or descendants file a claim with no documents or proof except for traces of kurganchey or winter camps, established by them or their predecessors, then in case the opposite

[314 cont.]

311 On the other hand, it cannot be assumed that all the Kazaks
241 can apply themselves to agriculture, for aside from their aversion for this kind of life, they have too little arable land, as one can see in the geographic section of this work [untranslated]. In addition, even assuming that these nomads did occupy themselves with the cultivation of land, would the products they grew compensate for the reduction of the herds? All the peoples who border
[243] on the Kazak steppes need livestock, and they produce enough grain so that it is always a better bargain for them than grain which could be brought from far away. So that if neither the Russians, nor the Chinese, nor the inhabitants of Kokand, nor the Bukharans, nor the Khivans will pay the Kazaks the price of their labors as agriculturalists, what will the latter have to give them in exchange for the manufactured products which they cannot do without and which they pay for today with livestock?

[175 [315] Let us add to this picture the physical revolutions to
132] which the surface of the Kazak steppe is subject. The Dimas and
312] Bascatis [rivers] which, according to Ptolemy, watered these lands, no longer exist. The Kenderlik [River], which indicated in the Bolshoi Chertezh, is no longer there. The Kizil-Darya, so often discussed by Abulgazi Baïadur Khan and which is still seen on the old maps, has completely disappeared. The Yany-Darya, which was born, so to speak, in our day, has already ceased to flow. The Aksakal-Barby lakes have diminished greatly. The high points of Sari-Bulak and Kuk-Tirnak, which used to be washed by the Aral Sea according to old Kazaks, are now at a distance of eight hours walk away. Many tiny lakes and wells have dried up entirely. Finally, in regions which are completely deprived of water one sees huge ruins which indicate the former existence of a large population. These phenomena are nothing to a nomadic people, because they move their location all the time, but they are destructive for a sedentary people.

181 Let us now recall the prejudice which has been implanted, and
152 is unfortunately well fixed, and has spread among the Kazaks, namely that they will lose their freedom (1) the moment they leave

[636
343] 1. The Russian government has built houses for the Kazak sultans (as for Ablai and others),

5: Levchine--190 G-4, 5 (ca. 1821) 1840 RQ2 Kazak RQ2

Plate 10

Plan of a Kirghiz-Kazak Field

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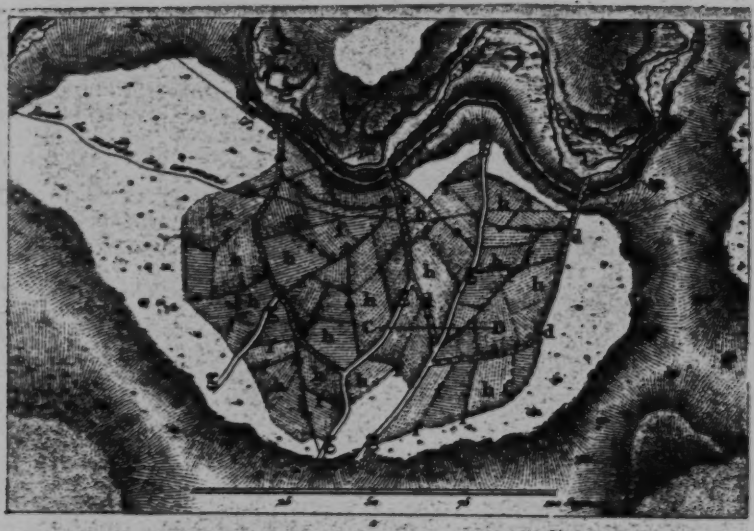
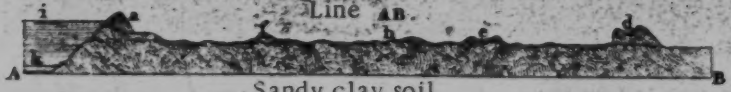
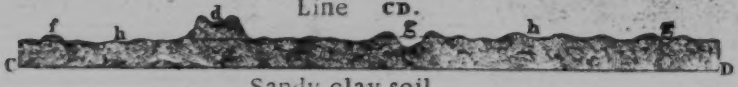


Profile of Irrigation Canals



Sandy clay soil



Sandy clay soil

"pied Sagen